

# **EXHIBIT 11**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION  
3

4 -----  
5 IN RE: HIGH-TECH EMPLOYEE )  
6 ANTITRUST LITIGATION ) No. 11-CV-2509-LHK  
7 -----

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10 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
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13 VIDEOTAPED DEPOSITION OF DANIEL STOVER  
14 San Francisco, California  
15 Monday, October 29, 2012  
16 Volume I  
17  
18  
19

20 Reported by:  
21 ASHLEY SOEVYN  
22 CSR No. 12019  
23 JOB No. 1541285  
24

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1 compensation? 13:27:45

2 A. I wouldn't expect kind of the first contact 13:27:48

3 on a site like LinkedIn that contain specifics of 13:27:52

4 compensation. 13:28:03

5 Q. Why weren't you interested in the position 13:28:23

6 at Adobe? 13:28:25

7 A. So, since 2010 I decided to focus on wood 13:28:31

8 working. 13:28:54

9 Q. Uh-huh. And so you are not interested in 13:28:54

10 technology-related jobs? 13:28:57

11 MS. LEEBOVE: Objection, mistates prior 13:28:58

12 testimony. 13:29:00

13 BY MR. KIERNAN: 13:29:00

14 Q. I'm just trying to understand. I mean, you 13:29:00

15 tell me that you're interested in wood working. 13:29:02

16 Well, that doesn't tell me why you're not interested 13:29:04

17 in a job -- 13:29:07

18 A. As a job right now to make money, I'm not 13:29:08

19 interested in technology positions. I'm still 13:29:11

20 interested in technology and I try to keep abreast 13:29:14

21 with, you know, what is going on. And at least know 13:29:17

22 what skills I need to develop, if I had to go back 13:29:20

23 into technology. 13:29:24

24 Q. Are you actively looking for software 13:29:26

25 engineer jobs? 13:29:31

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1       that category. 13:31:40

2       BY MR. KIERNAN: 13:31:46

3           Q.     What about Oracle? 13:31:46

4           A.     So this category you're looking for of jobs 13:31:52

5       that I would be interested in or just kind of firms 13:31:54

6       that -- 13:31:57

7           Q.     Firms that you'd be interested in. That's 13:31:57

8       what I understood the category that you were 13:31:59

9       describing. 13:32:02

10          A.     I didn't describe any. I think more firms 13:32:03

11       that have, kind of, cultural influence or are large 13:32:08

12       enough. Whenever you receive, you know, some 13:32:10

13       type -- somebody contacting you about a position at 13:32:13

14       that firm, it kind of jumps out at the page. So 13:32:16

15       I -- I would distinguish that from I wouldn't apply 13:32:18

16       for a job at IBM or, you know, probably Microsoft, 13:32:22

17       but it would still be something that would kind of 13:32:25

18       stand out for me. 13:32:28

19          Q.     So whether a company would stand out, that 13:32:52

20       would depend on an individual's preference; is that 13:32:56

21       right? 13:33:00

22          A.     I mean, there's a degree of speculation in 13:33:04

23       that, but I think there's some aspects, the size of 13:33:06

24       the company, cultural influence of the company. So 13:33:10

25       it's not entirely -- it's not entirely on an 13:33:23

1 that you received in LinkedIn or e-mails? In other 15:43:21  
2 words, did you take those more seriously or -- 15:43:26

3 A. I would -- I would scan them. 90 percent 15:43:34  
4 or thereabouts were from organizations I wasn't very 15:43:37  
5 interested in or random recruiters. So 15:43:44  
6 occasionally, there may be one from a particular 15:43:49  
7 company that would pop up for me and peak my 15:43:51  
8 interest, but I wasn't really actively looking for 15:43:59  
9 another position while I was working at Intuit, so 15:44:01  
10 those ones that did peak my interest I would note 15:44:04  
11 and probably write them back thanking them. 15:44:08

12 Q. As you sit here today, do you recall any 15:44:17  
13 that peaked your interest, while you were employed 15:44:19  
14 at Intuit? 15:44:19

15 A. I don't have any specific recollection. 15:44:23

16 Q. And -- but you think about 90 percent were 15:44:34  
17 from companies that you weren't interested in, which 15:44:42  
18 would leave about 10 percent of companies that you 15:44:46  
19 may be interested in? 15:44:50

20 A. As an estimate. 15:44:52

21 Q. Do you recall any of the companies that 15:44:59  
22 would fall into the ten percent ones that you would 15:45:03  
23 be interested in pursuing a job opportunity? 15:45:06

24 A. While I was working at Intuit, I would be 15:45:11  
25 guessing at this point. 15:45:22

1 Q. At any time did you use any information 15:45:24  
2 that you learned from a cold call to negotiate 15:45:26  
3 higher compensation at Intuit? 15:45:32  
4 MS. LEEBOVE: Objection, calls for a legal 15:45:34  
5 conclusion. 15:45:37  
6 THE WITNESS: The only time I really 15:45:44  
7 negotiated for a salary at Intuit was before 15:45:46  
8 leaving. 15:45:49  
9 MR. KIERNAN: Uh-huh. 15:45:50  
10 THE WITNESS: That happened over a period 15:45:50  
11 of five months, approximately. So, receiving these 15:45:51  
12 cold calls, and in particular, you know, the ten 15:45:55  
13 percent of cold calls that are positions that I was 15:45:58  
14 interested in, I mean, it provides some motivation 15:46:01  
15 for, you know, being able to negotiate a higher 15:46:07  
16 salary. 15:46:14  
17 BY MR. KIERNAN: 15:46:15  
18 Q. And you were negotiating that with Ravi? 15:46:15  
19 A. Correct. 15:46:17  
20 Q. And did you state to Ravi that -- what's 15:46:20  
21 Ravi's last name? 15:46:24  
22 A. Mohan. 15:46:26  
23 Q. Mohan. 15:46:27  
24 Did you state to Mr. Mohan that you 15:46:27  
25 received a number of cold calls and you'd like an 15:46:27

1 increase in your compensation? 15:46:27

2 A. I don't recall specifically doing so. It 15:46:39

3 was common knowledge. 15:46:45

4 Q. Com- -- what was common knowledge? 15:46:46

5 A. That -- kind of these recruitment efforts 15:46:47

6 were always going on. 15:46:49

7 Q. While you were employed at Intuit, do you 15:46:52

8 recall the recruitment efforts from other companies 15:46:57

9 increasing, decreasing, remaining the same? 15:47:02

10 MS. LEEBOVE: Objection, vague and 15:47:07

11 ambiguous, compound. 15:47:09

12 THE WITNESS: As I stated already, there's, 15:47:13

13 you know, particular settings you can do it with 15:47:14

14 LinkedIn to make your profile as someone who was 15:47:16

15 looking for a job or not looking for a job. I don't 15:47:20

16 recall exactly when I may have changed those. It's 15:47:24

17 most definitely a -- quite a bit of change, 15:47:26

18 depending on how I had published myself. 15:47:30

19 BY MR. KIERNAN: 15:47:35

20 Q. Do you recall while you were working at 15:47:35

21 Intuit, whether you had changed that setting on 15:47:37

22 LinkedIn from actively looking to not actively 15:47:40

23 looking? 15:47:48

24 A. I have no specific recollections. 15:47:49

25 Q. With respect to the, approximately, 40 or 15:47:53



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1 State OF CALIFORNIA ) ss:  
2 COUNTY OF MARIN )  
3

4 I, ASHLEY SOEVYN, CSR No. 12019, do hereby  
5 certify:

6 That the foregoing deposition testimony was  
7 taken before me at the time and place therein set  
8 forth and at which time the witness was administered  
9 the oath;

10 That the testimony of the witness and all  
11 objections made by counsel at the time of the  
12 examination were recorded stenographically by me,  
13 and were thereafter transcribed under my direction  
14 and supervision, and that the foregoing pages  
15 contain a full, true and accurate record of all  
16 proceedings and testimony to the best of my skill  
17 and ability.

18 I further certify that I am neither counsel for  
19 any party to said action, nor am I related to any  
20 party to said action, nor am I in any way interested  
in the outcome thereof.

21 IN THE WITNESS WHEREOF, I have transcribed my  
22 name this 2nd day of November, 2012.  
23  
24

25   
ASHLEY SOEVYN, CSR 12019